

REMARKS

Claims 1, 3-6, 9-11, 18 and 19, as amended, remain in this application for the Examiner's review and consideration. Claim 2 has been canceled from consideration with the present application without prejudice to pursue the subject matter of this claim in one or more continuation or divisional applications. Claims 1, 9, 10, 18 and 19 have been amended to clarify the scope of protection sought by the present application. In particular, claim 1 has been amended to include the recitations that the pre-folded flower wrap includes a single folded rectangular sheet of material, that the folding sequence includes a first fold that overlaps a portion of the single sheet of material to create two layers and subsequent folds that position one of the two layers as an inner wrap and one layer as an outer wrap with the outer wrap surrounding the inner wrap and that that pre-determined folded shape includes a plurality of peaked sections that include the corners of the rectangular sheet and multiple layers of flower wrap having an appearance of two separate layers of flower wrap having been wrapped by hand around the a floral arrangement such that both layers surround the floral arrangement and one layer surrounds the other layer and that has the functionality of a flower sleeve without having to wrap either layer around the floral arrangement. Support for this amendment can be found in the specification, claims and drawings as originally filed including, for example, Figs. 2-5, claims 1, 2, 10 and 18 and the specification at page 3, line 7, page 4, line 28 and page 7, lines 1-4. Claim 18, in order to clarify the recitations regarding markings that produce transparent and translucent areas, has been amended to recite a single folded sheet of material that includes transparent areas and translucent markings and that the folding sequence overlaps and aligns the transparent areas and translucent markings of the single sheet of material to produce a pre-determined folded shape having an appearance of a generally translucent inner wrap surrounded by a transparent outer wrap and of the transparent inner wrap and the transparent outer wrap each having been wrapped by hand when the sheet is in the folded position. Support for this amendment can be found in the specification, claims and drawings as originally filed including, for example, at Figs. 2-5 and the specification at page 2, lines 18-22, page 3, line 9, page 4, line 28, page 6, lines 24-25 and page 7 lines 3-4. Claims 9 and 10 have similarly been amended to include clarifying recitations regarding the transparent areas and translucent markings. Claim 19 has been amended to change

the dependency from claim 10 to claim 18. As these claim amendments do not introduce any new matter, their entry at this time is warranted.

Claim 18 was rejected under 35 U.S.C. § 112, second paragraph, for the reasons given in paragraph 2 of the Office Action. It was asserted that it is not clear how markings on a sheet produce translucent areas and transparent areas in the sheet of material as recited in claim 18. Claim 18 has been amended to recite that the single sheet of material includes transparent areas and translucent markings and that the folding sequence overlaps and aligns the transparent areas and translucent markings to produce an appearance in the single sheet of a generally translucent inner wrap surrounded by a transparent outer wrap. Applicant asserts that these amendments particular point out and distinctly claim the subject matter that applicant regards as the invention and requests that this rejection be withdrawn.

Claims 1, 3-6, 9-10 and 18 were rejected under 35 U.S.C. § 102(a) and (e) as being anticipated by U.S. patent no. 6,786,003 to Gilbert for the reasons given in paragraph 4 of the Office Action. It was asserted that Gilbert discloses a sheet of material that has intersecting score lines 150, 152, 188, 182, etc. defining a folding sequence (i.e. the sheet is wrapped about itself aligning the various lines; see figures 8-12) corresponding to a pre-determined shape (conical) with a plurality of peaked sections 132 along said lines for the wrap which comprises an overlapping portion capable of being used as a flower sleeve an appearance of being wrapped by hand. In addition, it was asserted that Gilbert discloses an inner translucent wrap surrounded by outer transparent wrap (see column 4, lines 35+). In the response to applicant's previous amendment, it was also asserted that Gilbert provides gussets in a folded sheet (column 4, lines 17+) and that this provides a predetermined folded shape with multiple layers and a plurality of peaks. Applicant asserts that this rejection has been overcome for the reasons that follow.

Gilbert is directed to a multi-layer sleeve made from two inner layers and two outer layers (col. 3, lines 60-61). All the layers of the sleeve are fed from rolls into a machine that uses hot dies to cut through the layers and weld the sleeve edges together (col. 2, lines 9-12). These edges are designated as 26 and 28 in Fig. 3. A gusset can be used to close the bottom edge of the sleeve (col. 4, lines 20-21). This gusset is formed using parallel fold lines (col. 8, lines 43-44). In general, Gilbert is directed to the use of layers of different materials joined at the seams so as to

appear as independent layers (col. 1, lines 51-53). The sleeve of Gilbert requires at least two and preferably four separate and distinct sheets of material.

By contrast as currently recited in claims 1 and 18, the independent claims, the pre-folded flower wrap of the present invention includes a single folded sheet. In claim 1, the single sheet is a single layer. Gilbert does not use a single sheet to produce a multi-layered appearance. In addition, the sleeve of Gilbert is not a folded sheet, but a multi-layered sleeve made from rolls of four separate sheets of material that are welded together along the edges (Fig. 16). Gilbert does not disclose the use of a single, single layered sheet. Moreover with respect to claim 1, the single folded sheet of the present invention is a rectangular sheet. There is no disclosure in Gilbert regarding the use of a single folded rectangular sheet.

In addition as currently recited in claim 1, the pre-folded flower wrap of the present invention includes a distinct folding sequence that includes a first fold that overlaps a portion of the sheet of material to create two layers from the single sheet of material and subsequent folds that position one layer as an inner wrap and one layer as an outer wrap such that the outer wrap surrounds the inner wrap and that form the single sheet of material into the pre-determined folded shape that includes an overlapping portion, a plurality of peaked sections comprising corners of the rectangular sheet and multiple layers that provide an appearance of two separate layers of flower wrap having been wrapped by hand such that both layers surround a floral arrangement and one layer surrounds the other layer.

In applying the cited prior art against the claims as presently recited, all words in the claim must be considered in judging the patentability of that claim against the prior art. MPEP 2173.06 citing *In re Wilson*, 424 F.2d 1382 (CCPA 1970). Although Gilbert may appear to disclose certain aspects of the present invention as currently recited in the claims, Gilbert does not disclose or teach all of the recitations of the claims and how the structures of the present invention are interrelated. In general, Gilbert is not a wrapped product, but is in fact a flower sleeve. The product of Gilbert has the typical funnel or Y-shaped appearance of a flower sleeve with the associated aesthetic appearance. There is no teaching or disclosure in Gilbert regarding a folding sequence having a first fold that overlaps a portion to form two layers and subsequent folds that position these layers as inner and outer wraps. It is the folding sequence and these folds

that form the folded shape including a plurality of peak sections containing the corners of the rectangular sheet and an appearance of an outer layer surrounding an inner layer. The sleeve of Gilbert is formed from multiple separate sheets of material that are sealed along the side edges. The only disclosure in Gilbert regarding folding is the use of folds to form the gussets that are used to close the bottom of the sleeve of Gilbert. These folds, however, are not formed from intersecting scored lines as recited in claim 1. In addition, these folds do not produce peaked sections containing the corners of a rectangular sheet. Moreover, the folds form a gusseted closure and not inner and outer wraps wherein the outer wrap surrounds the inner wrap. It appears that the gusset is used to form an expandable closed bottom for the sleeve of Gilbert. Additional and separate layers of material are still used (*see*, Fig. 22 and specification at col. 8, lines 31-49) to create the multi-layered appearance of the sleeve disclosed in Gilbert.

With regard to the assertion of intersecting score lines 150, 152, 188, 182, etc. defining a folding sequence with a plurality of peaked sections 132, Applicant notes that these lines as explained in the specification of Gilbert relate to the top edges of the inner and outer walls (150, 152) of the various layers, the top edge of the inner layer (188) and a T-shaped tear line (182). In Gilbert, hidden lines are shown as dashed lines and perforations are shown with alternating long and short dashes (col. 2, lines 33-35). Moreover, the top edge (132) of the inner layers of Gilbert forms a zigzag shape. This zigzag shape is not the peaked sections containing corners of the single folded rectangular sheet resulting from the folding sequence that includes the first fold and subsequent folds of the present invention as currently recited. The zigzag top edge (132) of Gilbert is the result of perforations or pre-cuts in the inner layers and not the results of folding a single sheet. Therefore, Gilbert neither teaches nor discloses all of the recitations of the present invention as expressed in all of the words of claim 1.

As currently recited in claim 18, the single folded sheet of the pre-folded flower wrap includes a plurality of scored intersecting lines defining a distinct folding sequence, transparent areas and translucent markings disposed across the single sheet of material. The folding sequence overlaps and aligns the transparent areas and translucent markings of the single sheet of material to produce the appearance of a generally translucent inner wrap surrounded by a transparent outer wrap. The translucent inner wrap and the transparent outer wrap each appear to have been

wrapped by hand. The product of Gilbert is a sleeve and not a pre-folded flower wrap. There is no disclosure or teaching in Gilbert of a single sheet of material having transparent areas and translucent markings that are overlapped and aligned to produce the pre-determined folded shape having an appearance of a generally translucent inner wrap surrounded by a transparent outer wrap. Gilbert uses multiple, independent layers that are bonded or heat sealed together. Each one of the multiple, independent layers of Gilbert can be varied such that the outer layers are transparent or translucent and the inner layers are formed of an opaque material. The layers may also have images or patterns printed on them. However, there is no disclosure of a single sheet that contains both transparent areas and translucent markings that are aligned by a folding sequence defined by a plurality of intersecting scored lines to produce the appearance of two separate layers of wrap from a single layer of material as recited in claim 18. The flower sleeve of Gilbert actually uses multiple, separate layers of material to produce the appearance of a flower sleeve having multiple, separate layers of material.

Claims 9 and 10 depend from claim 1 and as currently amended contain additional recitations that further define the present invention over Gilbert. Claim 9 contains the recitation that the single sheet of material contains transparent areas and translucent markings that are aligned by the folding sequence to produce the translucent inner wrap and transparent outer wrap. This claim is distinguished over Gilbert for reasons similar to those given for claim 18. Claim 10 contains the recitation that the translucent markings are only disposed on one of the layers formed by the first fold in the folding sequence. Since Gilbert does not disclose a single sheet of material with both transparent areas and translucent markings, Gilbert further fails to disclose any arrangement of translucent markings and transparent areas on a single sheet of material. As illustrated in the figures and discussed in the specification of Gilbert, any markings that appear on one of the many separate sheets of material are uniform across the entire sheet. There is no teaching or disclosure in Gilbert of single folded sheets of material having aligned and overlapped translucent markings and transparent areas. Overlapping is accomplished in Gilbert by using distinct and separate sheets. Therefore, the present rejection has been overcome, and Applicant respectfully requests that it be withdrawn.

Claims 1-2, 4-6, 11 and 18 were rejected under 35 U.S.C. 102(b) as being anticipated by

U.S. patent no. 4,917,240 to Roberts et al. ("Roberts") for the reason given in paragraph 5 of the Office Action. It was asserted that Roberts discloses a pre-folded flower wrap comprising a sheet of material comprising a plurality of scored intersecting lines 114, 140, 147, 182, 106, etc. defining a distinct folding sequence (*see* figure 13), overlapping portions 32 and a plurality of peaked sections 18, 50 (*see* figure 12). It was also asserted that Roberts discloses the use of glue and the appearance of a transparent outer wrap, *see* claim 19. In response to applicant's previous amendment, it was asserted that the transparent outer wrap would extend to cover the floral arrangement in the display positions, *see*, figures 14 and 15. Applicant traverses this rejection for the reasons that follow.

Roberts is directed to an expandable floral greeting card having a face card and a base formed in the shape of a hollow receptacle having the shape of a box (col. 4, lines 7-9 and 39-41). An open cell foam material can be cut to fit the lower interior portions of the base. To retain fluid within the foam material, the foam block is wrapped in a thin polyethylene sheet. (col. 5, lines 11-12 and 18-20) This polyethylene sheet is the thin transparent membrane of claim 19 of Roberts.

The present invention as currently recited in the claims and construed as one of ordinary skill in the art would understand these recitations in light of the specification of which they are a part is not anticipated by Roberts. As currently recited in claim 1, the pre-folded flower wrap includes a single folded rectangular sheet of material. The single sheet is a single layer and includes a plurality of scored intersecting lines that define a folding sequence including a first fold that overlaps a portion of the single sheet and subsequent folds that position one of the two layers as an inner wrap and the other layer as an outer wrap. The outer wrap surrounds the inner wrap. There is no disclosure in Roberts of a distinct folding sequence having the first fold and subsequent folds of the present invention and in particular of subsequent folds that position one layer as an inner wrap and one layer as an outer wrap where the outer wrap surrounds the inner wrap. Embodiments of Roberts include a base, a face card and the foam material with the polyethylene cover. Taken together, all of these components are separate and distinct materials and not the single folded rectangular sheet of material as recited in claim 1. Taken separately, none of the three components is the single folded rectangular sheet as presently recited that

includes folds that form two layers into inner and outer layers of wrap such that the outer wrap surrounds the inner wrap. With regard to the base, there is no disclosure of a first fold that overlaps a portion of a single sheet of material and subsequent folds that create inner and outer wraps out of the two layers such that the outer wrap surrounds, i.e. completely encircles, the inner wrap. In addition, the folding sequence creates a shape where both of these layers surround, i.e. completely encircle, the flower arrangement and one layer surrounds the other layer. The floral arrangements in Roberts are rooted in the block of material and pass through an opening in the base and card face. The floral arrangements are not surrounded by layers of folded material in Roberts.

With regard to claim 18, as presently amended claim 18 recites a single folded sheet of material having transparent areas and translucent markings. The folding sequence of scored lines disposed in the single sheet aligns the transparent areas and translucent markings to create a translucent inner wrap surrounded by a transparent outer wrap. There is no disclosure in Roberts of a single sheet having both transparent areas and translucent markings. The base and face card are not disclosed as being transparent or translucent. The polyethylene sheet does not contain translucent markings and is a separate material from the base and face card. In addition, there is no disclosure in Roberts that the polyethylene sheet is folded. In fact, the polyethylene sheet is wrapped around a foam block and heat sealed. (col. 5, lines 18-21) Therefore, a single sheet having a plurality of intersecting scored lines, transparent areas and translucent markings is not disclosed in Roberts. In addition, a single folded sheet having a predetermined folded shape that aligns the transparent areas and translucent markings to form a transparent outer wrap surrounding a translucent inner wrap is not disclosed in Roberts. Claims 9 and 10 depend from claim 1 and contain additional recitations that further define the present invention over Roberts. Claim 9 contains recitations regarding the transparent areas and translucent markings as discussed above with respect to claim 18. Claim 10 recites that the translucent markings are disposed on only one of the two layers formed by the first fold in the folding sequence. There is no disclosure of translucent markings in Roberts. Therefore, Roberts neither discloses nor teaches all of the structures of the claims as currently recited, and applicant respectfully requests that this rejection be withdrawn.

A well established principle of patent claim interpretation states that patent claims can recite features using both structural language and functional language. *See, In re Swinehart*, 439 F.2d 210 (CCPA 1971). In addition, the claim language is interpreted as would be understood by one of ordinary skill in the art when read in light of the specification. *Omega Engineering, Inc v. Raytek Corp.*, 334 F.3d 1314 (Fed. Cir., 2003). Therefore, one of ordinary skill in the art would consider all of the recitations of the claims of the present invention, including the preamble, to interpret the claims, because it is improper to disregard either the preamble or limitations that include functional language. *Pac-Tec, Inc. v. Amerace Corp.*, 903 F.2d 796, 901, 14 USPQ2d 1871, 1876 (Fed. Cir. 1990), cert. denied, 502 U.S. 808 (1991) (in determining whether a patent claim is invalid because anticipated by prior art, it is improper to disregard the preamble and all limitations that include "adapted to", "whereby", and "thereby", *see also, In re Venezia*, 530 F.2d 956, 189 USPQ 149 (CCPA 1976), which establishes the proposition that "functional language, in cases like the present, cannot be disregarded."). Application may use functional language, alternative expressions, negative limitations or any style of expression of format of claims which makes clear the boundaries of the subject matter for which protection is sought. MPEP 2173.01.

With regard to the present application, the present invention is clearly distinguished over Roberts by structures including a single sheet, a rectangular sheet, a first fold that overlaps the single sheet to form two layers, subsequent folds that form the layers into inner and outer wraps where the outer wrap surrounds the inner wrap, a plurality of peaked sections formed from corners of the rectangular sheet, transparent areas and translucent markings, among others. Any functional recitations in the claims clearly recite additional boundaries that are understood by one of ordinary skill in the art and that further define the present invention over Roberts. One of ordinary skill in the art interprets the present invention as being drawn to a pre-folded flower wrap and not to an expandable floral greeting card as in Roberts. Flower wraps, flower sleeves and greeting cards have different and distinct meanings to one of ordinary skill in the art. Each one of these products is utilized differently and has different properties. One of ordinary skill in the art understands the unique functionalities of a flower sleeve and how these functionalities differ from the function of hand wrapping.

This distinctiveness, for example between floral wraps and sleeves, is further illustrated

and described in the written description. The flower holding portion of Roberts is in the shape of a box. A box is not associated with the hand wrapping of flowers. Moreover, one of ordinary skill in the art clearly understands the appearance of two separate layers of wrap each having been wrapped by hand around a floral arrangement such that both layers surround the floral arrangement and one layer surrounds the other layer. In addition, one of ordinary skill in the art understands the recitations of a translucent inner wrap surrounded by a transparent inner wrap where each has been wrapped by hand. This recitation regarding the appearance of multiple overlapping layers is clearly understood by one of skill in the art. Acceptable functional language includes language drawn to an appearance of an object. *See, Oakley, Inc. v. Sunglass Hut Intern.*, 316 F.3d 1331(Fed. Cir., 2003)(recognizing the definiteness of the claim language “vivid colored appearance” which has a distinct and identifiable meaning to one of ordinary skill in the art in light of the specification).

One of ordinary skill in the art in light of the specification would understand that an appearance of multiple overlapping layers having been wrapped by hand includes a single sheet that has been wrapped two or more times around a floral arrangement and two separate sheets that have each been wrapped around a floral arrangement. Hand wrapping is understood by one of skill in the art to apply to a distinct type of floral covering that is clearly different from flower sleeves or folded greeting cards. In fact, the entire specification is directed to the differences between flower wraps and flower sleeves. The floral greeting card as disclosed in Roberts neither discloses nor teaches the appearance of multiple overlapping layers having been wrapped by hand. Further, the greeting card of Roberts fails to disclose the functionality of a flower sleeve as recited in the claims. Therefore, Roberts fails to disclose all of the recitations of the claims as currently amended, and applicant respectfully requests that this rejection be withdrawn.

Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Gilbert for the reasons given in paragraph 7 of the Office Action. It was asserted that Gilbert does not disclose the sheet of material as a single layer; however, recognizes a common alternate is a single substrate that is partially transparent (col. 1, lines 22+). Applicant asserts that this rejection has been overcome for the reasons that follow.

Gilbert does not render all of the recitations of claim 19 obvious. In making

determinations regarding obviousness, the art as a whole must be considered including portions that lead away from the claimed invention and statements that teach away from or discredit the claimed invention. In addition, the proposed modification to the prior art required for a finding of obviousness cannot render the prior art unsatisfactory for its intended use. It was asserted that Gilbert recognizes a common alternate as a single substrate that is partially transparent. This language appears in the background section of Gilbert. The background section goes on to state:

Heretofore most sleeves have been manufactured of a single material. Specifically, while different manufacturers have used different materials, each sleeve has generally been formed from two layers of the same material. Although some may have suggested that sleeves might be made of laminated materials, sleeves have not heretofore been commercialized that are made with layers of different materials joined at the seams so as to appear as independent layers.(col. 1, lines 46-53)(emphasis added)

Clearly, the intent of Gilbert was to use and to produce a multi-layered product. By stating that most sleeves have been manufactured of a single material, Gilbert teaches away from and discredits the use of a single layer of material. In addition, since Gilbert recognizes the need for multi-layered products and then discloses a multilayered sleeve, the use of a single layer renders Gilbert unsatisfactory for its intended use. Therefore, the present invention as currently recited in claim 19 is not rendered obvious by reference to Gilbert, and applicant respectfully requests that this rejection be withdrawn.

Claims 1-6, 9-11 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over, U.S. Patent no. 6,604,674 to Bowman in view of U.S. patent no. 6,484,442 to Weder for the reasons stated in paragraph 8 of the Office Action. It was admitted that Bowman does not disclose the wrapping material to be used for a flower wrap as claimed. However, Weder shows a sheet of material with an unfolded position (Fig. 1) and a second folded position (Fig. 3). Weder was said to show a plurality of lines (28) to fold the sheet in a pre-defined sequence and that Weder shows a generally conical shape as claimed with overlapping portions (48a) and peaked sections (86). It was asserted that it would have been obvious to one of ordinary skill in the art at the time of the invention to provide Bowman with a flower wrap as taught by Weder to form a

desired product that is known and within the realm of one of ordinary skill in the art. Applicant asserts that this rejection has been overcome for the reasons that follow.

Bowman is directed to gift wrapping and provides a flat packaged, folding gift box in combination with a complementarily dimensioned sheet of gift wrap for hand wrapping the box. The wrapping sheet is pre-cut, pre-scored and is pre-taped in that tape is applied to the flat sheet, and the wrapping sheet includes selected decorative design elements printed or formed on one surface. The other surface, called the operational surface, includes printed step-by-step instructions for folding the wrapping sheet by hand around the correspondingly dimensioned box. Weder is directed to sheets of material having forming indicia for forming into flower pot or plant covers and teaches that any thickness of the sheet of material may be utilized ... as long as the sheet of material is wrappable about an object such as a flower pot or a plant contained in a growing medium (col. 4, lines 30-33). The decorative cover is created by folding, gathering and/or crimping the sheet of material as designated by the forming indicia.

In making a determination of obviousness, the references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination. All of the claim limitations must be taught by the combination of references. If an independent claim is nonobvious, then any claim depending therefrom is nonobvious. With regard to claim 19, claim 19 as presently amended, depends from claim 18, which is not rendered obvious by Bowman in view of Weder. In particular, Claim 18, as presently amended recites a single sheet of material that includes transparent areas and translucent markings and that the folding sequence overlaps and aligns the transparent areas and translucent markings to produce an appearance in the single sheet of a generally translucent inner wrap surrounded by a transparent outer wrap. Weder and Bowman either alone or in combination do not disclose and do not render obvious a single sheet of material containing transparent areas and translucent areas and scored lines that define a folding sequence that overlaps and aligns the transparent areas and translucent markings to produce the appearance of a generally translucent inner wrap surrounded by a transparent outer wrap. In fact, Bowman teaches away from any overlapping wrap, as the wrapping in Bowman is size sized to fit a specific box. Producing overlapping wrap in Bowman would render the wrap of Bowman unsatisfactory for its intended use. In addition, Weder fails to disclose or teach any type

of folds or folding sequence that produces overlapping layers of wrap where one layer surrounds another layer. Therefore, claim 18 is not rendered obvious by Bowman in view of Weder, and claim 19, being dependent from claim 18 is not rendered obvious by Bowman in view of Weder.

With regard to claims 9 and 10, claim 9 as currently amended, recites that the sheet of material contains transparent areas and translucent areas and the folding sequence to overlap the transparent areas and translucent markings to produce the appearance of a translucent inner wrap surrounded by a transparent outer. Therefore, as was discussed above with reference to claim 18, claim 9 is not rendered obvious by Bowman in view of Weder. Claim 10, depends from claim 9 and, therefore, is not rendered obvious by Bowman in view of Weder.

As presently recited in independent claim 1, the pre-folded flower wrap of the present invention includes a single folded sheet of material that includes a single layer and a plurality of scored intersecting lines defining a distinct folding sequence containing a first fold that overlaps a portion of the single sheet of material and subsequent folds that position one layer as an inner wrap and one layer as an outer wrap. The outer wrap surrounds the inner wrap. In addition, the folding sequence that includes the first fold and subsequent folds produces an appearance of each of two separate layers of flower wrap having been wrapped by hand around a floral arrangement such that both layers surround the floral arrangement and one layer surrounds the other layer. Bowman either alone or in combination with Weder fails to disclose or teach the claimed present invention as a whole as currently recited in claim 1. In fact, the proposed modification of Bowman would render Bowman unsatisfactory for its intended use. Bowman is not directed to flower wrappings at all and contains no disclosure or teaching related to flower wrappings. The wrap in Bowman is specifically used to wrap boxes and each wrapping sheet in Bowman is specifically sized and arranged according to a particular box to be wrapped. The idea of providing a sufficient amount of material in Bowman to effect one layer surrounding another layer is counter to the provision of a wrapping sheet that is specifically sized to fit a given box. Providing a specifically sized wrapping sheet minimizes waste and overlap.

There is no disclosure in Bowman regarding a folding sequence that includes a first fold that overlaps a portion of the single sheet of material to form two layers and subsequent folds that form the layers into an inner wrap surrounded by an outer wrap. The wrapping sheets disclosed in

Bowman do not have a plurality of peaked sections that provide the corners of the single rectangular sheet of material. The structure of the overlapping portion and peaked sections are associated with the hand-wrapped appearance. This hand-wrapped appearance, again as would be understood by one of skill in the art, relates to the type of appearance that would be achieved if the sheet of material of the present invention were wrapped around a flower arrangement free hand, for example by a florist or street vendor. Therefore, the pre-folded flower wrap in accordance with the present invention provides the unexpected benefit of combining the aesthetics of hand-wrapped flowers with the convenience of flower sleeves. Bowman is not attempting to create an appearance of hand-wrapping in a flower wrap. In fact, the wrapping sheets of Bowman are arranged to create uniformity in wrapping, producing a wrapping that has less of a hand-wrapped appearance. Therefore, one of ordinary skill in the art looking for flower wraps and methods for making flower wraps that combine hand-wrapped aesthetics with flower sleeve convenience would not look to Bowman, which is not even directed to flower wraps and actually teaches exactly the opposite type of system and product, i.e. less hand-wrapped appearance in a product that is actually wrapped by hand.

The shortcomings of Bowman are not remedied by reference to Weder, and the combination of Bowman and Weder do not disclose all of the elements of the present invention as currently recited in claim 1. Weder does not teach or disclose a plurality of scored intersecting lines defining a folding sequence that includes a first fold that overlaps a portion of the single sheet of material to form two layers and subsequent folds that form the layers into an inner wrap surrounded by an outer wrap. The wrap in Weder does not contain a folding sequence that produces one layer overlapping another layer. Therefore, Weder fails to disclose that the outer wrap surrounds the inner wrap. In addition, the folding sequence that includes the first fold and subsequent folds produces an appearance of each of two separate layers of flower wrap having been wrapped by hand around a floral arrangement such that both layers surround the floral arrangement and one layer surrounds the other layer. The folds in Weder do not produce two layers from a single sheet that each surround the floral arrangement. Therefore, the combination of Bowman and Weder still lacks any disclosure on a folding sequence that includes the first fold to overlap and produce two layers, subsequent folds that produce an inner wrap surrounded by an

outer wrap out of the two layers and an appearance of two layers surrounding a floral arrangement and one layer surrounding another layer out of a single sheet of rectangular material containing a single layer. The other claims all depend either directly or indirectly from claim 1 and contain additional recitations that further define the present invention over Bowman and Weder. Therefore, the present invention is not rendered obvious by reference to Bowman in view of Weder, and applicant respectfully requests that this rejection be withdrawn.

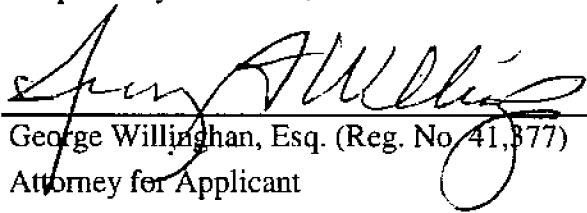
Claims 1-5, 9 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Weder in view of Bowman for the reasons given in paragraph 9 of the Office Action. It was asserted that it would have been obvious for one of ordinary skill in the art to combine the scored intersecting lines in Bowman with the disclosure of Weder to achieve the present invention. Applicant asserts that this rejection has been overcome for the reasons that follow.

As was stated above, the combination of Weder and Bowman fails to disclose or teach of the recitations of claim 1, the only independent claim in this rejection. The addition of scored intersecting lines from Bowman with Weder still does not provide the folding sequence of the present invention including the first and subsequent folds that produce the inner and outer wraps as discussed above. In addition, claim 9 as currently recited includes transparent areas and translucent markings that are not disclosed in either Bowman or Weder. Therefore, Weder in view of Bowman does not render these claims obvious, and applicant respectfully requests that this rejection be withdrawn.

Applicant asserts that all claims are now in condition for allowance, early notification of which is respectfully requested. A petition for a two month extension of time from March 13, 2007, the mailing date of an advisory action in response to an amendment submitted within two months of a final Office Action, to May 13, 2007 is submitted herewith along with provisions for the payment of the prescribed fee. In addition, a Request for Continued Examination is being submitted herewith with provisions for payment of the prescribed fees. No additional fees are believed due for the submission of this amendment since the total number of claims as-amended is less than 20 and the total number of independent claims is less than 3.

Respectfully submitted,

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